

The Man Who Buys His Suit or Overcoat at this Store During Our Mid-Winter Mark-Down Sale

is better off than if he put that much money in the bank. Prices on Woolen goods of all kinds are continually advancing. Take our advice and buy for next season as well as this.

This week it's \$18 and \$16.50 Coats and Overcoats at

\$11.75

Others at \$8.75, 9.75 and \$15.75

Our Entire Stock of Boys' Suits and Overcoats (excepting Blue Serge Suits) are included in this Sale.

Boys' \$6.50 and 6.00 Suits and Overcoats, **\$4.48**
\$5.50 and 5.00 Suits, **\$3.98**
\$4.50 and 4.00 Suits, **2.98**

JEWETT'S
ADLER, RECHSTER, CLOTHES
CITIZENS BANK BLDG., ST. JOHNSBURY, VT.

LOCAL GATHERINGS

—Today is the 20th anniversary of the burning of the Avenue house and those who are watching with interest the great improvements now being made at the hotel would be equally interested in a comparison of the old and new buildings which have been the home of the hotel.

—H. H. Carr says that Frank N. Carr will be a candidate for selectman and Fred S. Harriman for overseer of the poor in this coming people's caucus to nominate town officers.

—The following letters are advertised for the week ending Jan. 22: Ladies, Mrs. Elizabeth Leaser (2), Miss Grace Morse; gentlemen, Norman W. Donald, S. L. Hayes, Leon Morton, C. T. Orr.

—The Snow Shoe club will meet this Wednesday evening at the Athenaeum at 7:45. After the tramp the usual festivities will be held at the G. A. R. hall. Everyone interested in snowshoeing is invited.

—In a recent contest held by the Manual Training Magazine at Peoria, Ill., for the best collection of bird houses made by boys in the grades, Mr. Baxter, teacher of manual training received third prize for drawings and photos submitted. This was quite a victory as this was a country-wide affair.

—The Outlook club will meet with Mrs. Blanche Chickering, 43 Caledonia street, Jan. 26. Papers will be read on the local industries.

—St. Margaret's Guild will hold a social meeting at the parish room Thursday evening at 7:30.

—Finely colored views of the city of Moscow are on exhibition at the Athenaeum this week.

—Miss Martha Mason of Waterford has sold all of her real estate and personal property to Roy Bros. and Dan Fulford of East Barre. The sale was made through the H. A. Bryant agency. The famous Mason farm is heavily covered with some of the finest pine timber found in northern Vermont.

—The Urban Stock company played at the Caledonia four nights last week a beginning Wednesday and including a matinee on Saturday. The company played to good houses through the week and gave general satisfaction, the plays presented being of a high order and the specialties particularly good.

William Dennie, piano tuner. All orders left at McLean's Music Store for piano and organ tuning will receive careful and proper attention.

HATCH ON TRIAL

(Continued from page one.)

ing once before he fell forward. He turned around and went back and helped two others carry Brown back into the pool room. He thought the other two men who helped him carry Brown were Hatch and Goodearl. He also described the position of the revolver on the floor and said Mr. Hatch came out of the pool room to help carry Brown back in. Neither Hatch nor Brown had a coat on. The coats and hats were on a pool table. He was recalled later and said he saw no signs of a struggle in the room.

The Other Witnesses.

Stephen Lovejoy of St. Johnsbury said he was at Paine's fruit store on Main street at the time of the shooting and saw Hatch going up Main street about 8:50 in the evening. He had no coat nor hat on and was running. He did not know at the time there had been any shooting.

Glenn E. Fales said he was in the court house yard the night of the shooting by a company with Mr. Lavasseur, Mr. Foster and someone else. He first heard a shot and then saw a person coming out of the pool room. He said he was walking queer as though he had lost control of some of his muscles. In response to a question by the attorney general he admitted he had been talking with the respondent's counsel. He heard the man say "I'm shot." He went across the street but did not help carry the body in nor did he know who did carry it in. He was not sure whether there was a light in the pool room when he heard the shot but there was one when he went in. He saw a jug on the counter containing cider which was half or two thirds full. He saw Mr. Hatch in the room but did not know him at the time. Again he admitted he had talked with the respondent's counsel some time this week. He said he testified at the inquest that the jug was down at least a half.

On cross examination he said he had talked with Mr. Seales in the court room and nothing had been said about the cider. He had talked with State's Attorney Norton two or three times.

Miss Magdalene McCarthy, a girl employed in the telephone office, told of meeting Hatch near the Museum about 20 minutes of nine on the evening of the shooting. He had no hat nor coat on. She was with Mildred Delaney. Hatch said to her "Take these keys" and held them toward her. She did not take them and he tried to thrust them into the pocket of her coat. He ran along Main street. She had not heard of the shooting at that time.

Hatch Admitted the Shooting.

Harold G. Stafford who was working in Pope's lunch cart at the time of the shooting said he knew Harlow Hatch by the name of Billy. He was working in the restaurant the evening the shooting took place when the respondent came in through the rear door of the restaurant about nine o'clock. He had on trousers and asked the witness for a coat and hat. He said "I got into trouble and shot a man in the pool room." He told him he had no coat and hat and Hatch inquired if Clayton McDuffee had one and started across the street in the direction of McDuffee's room. Hatch was much excited and had been drinking as he smelled of it, he was also breathing hard. Before leaving the restaurant Hatch threw his keys into a corner. The witness picked them up and gave them to Sheriff Worthen. Hatch told him he had used a 32 revolver and then said it was a 38. He was in the restaurant only a few minutes.

On cross examination he said Hatch had boarded at the restaurant. He admitted that he said at the preliminary hearing that Hatch said he had used a 38 revolver. He could not remember whether he said anything at that time about Hatch having been drunk. He said he had talked with State's Attorney Norton about the case day before yesterday but on no other occasion. He admitted he had testified at the inquest, in municipal court and before the grand jury but had never talked with Mr. Norton about it except on this one occasion.

Mr. Barber asked him if his testimony in municipal court had been only answers to questions asked him and he said it was.

Adjournment was then taken until Saturday morning.

Friday Morning's Evidence.

Arthur W. Goodearl was recalled Friday morning to say that he saw no signs of a struggle in the pool room and that there was a light in the room when he went in.

Architect Burgess was recalled to give more details about the building. John Finlay, chief of police, said he did not get to the pool room on the night of the shooting until two and a half or three hours after the shooting had occurred. He identified the revolver in court as the one picked up in the pool room and that it was delivered in court in the same condition as when brought to police headquarters by Officer Wallace.

Charles E. Kirk Examined.

Charles E. Kirk, the next witness, said he knew Sumner Brown and Harlow Hatch. He said he had testified at the inquest. He was with Harlow Hatch the afternoon before Brown was shot, from about five o'clock until 8:30 or 8:45. He told of the trip he made with Hatch and Brown up through a section of Danville to the house of Clayton Thompson and home again by way of Joe's Brook. They stopped at one place after leaving Thompson's but he did not know whose place it was. They stopped at two places on the way up before they got to Thompson's but he did not know who they were. He did not see Hatch drink any cider nor did he see any jug while on the trip. He had some cider at the second place they stopped. He was asked to take a drink when near the Barnet road on the way home. Mr. Hatch was out of his sight for 15 or 20 minutes at Thompson's. When they got back to the pool room Hatch and Brown went into the pool room before he did, he going in four or five minutes after them. He saw no one else there and left Brown and Hatch there. Hatch was sitting in a chair or on a box and

Brown stood near the cigar case where he had just given Kirk some cigars. He went to Goss' garage and heard of the shooting 15 or 25 minutes later. He could not say whether a jug was carried into the pool room. Then he was put through a series of questions to see if his testimony at that time agreed with his testimony at the inquest. He would not say whether he talked with Hatch more than he did with Brown. He did not remember striking a match at the door of the pool room so Hatch or Brown could insert a key. He took part of his pay in money and part in cigars. He had six cigars and \$3 in money, \$2 of which came from Brown's pocket and \$1 from the money drawer. He said he did not know the men had been drinking but when asked if he saw anything that led him to think they had been drinking he thought they had. He was then questioned further on the conflict between his testimony at the inquest and on the stand that day. He concluded by saying that he thought if he testified to certain things at the inquest they were facts.

At the opening of the cross examination Attorney General Delaney asked the testimony given at the inquest but finally withdrew the request. Mr. Kirk said that he was in the pool room Sunday afternoon when Hatch engaged him to make the trip. He also had a talk with Brown at Carr's very stable about making the trip. They left St. Johnsbury at five and five and he was in a hurry because he had promised his car to another fellow. Their first stop was three or four miles out of St. Johnsbury where he wanted some water for his engine. Neither he nor Hatch asked for cider and none was brought out. The next stop was two or three miles further and no one asked for cider there. He hardly thought any one asked for cider at the first stop but he had a little. He drank very little of it as it was settlings and almost vinegar. At Thompson's Hatch was away from him 10 or 15 minutes. He could not swear that Hatch had been drinking. He heard some conversation between Thompson and Hatch about hay. The other stop was long enough for him to turn his car and Hatch got out there. He went into the pool room to get his pay for the trip. Hatch had his coat off. There was no talk between Hatch and Brown. They appeared friendly and visited together.

George Cobb of Danville was called and said that Charlie Kirk, Hatch and Brown visited his place about half past six the Sunday afternoon of the shooting. They stopped for water for the automobile and Hatch asked for some cider. He drew half a pitcher but did not see anyone but Kirk drink. It was not good cider. He thought the boys had been drinking as they were unconnected in their talk. Hatch said he knew where he could get some cider.

On cross examination he said he lived six miles from St. Johnsbury and there was no trouble between Brown and Hatch while at his place.

Dr. C. F. Whitney.

Dr. Charles F. Whitney of Burlington, special legal chemist and assistant in making state autopsies, said he had assisted at about 150 autopsies. He performed an autopsy on the body of Sumner Brown on July 19. Brown was apparently from 25 to 30 years old, in good health condition. He found four bruises about the head where the skin was bruised but not broken. He produced photographs of Brown taken at the time of the autopsy which showed all the bruises on the head and one showed the bullet wound in the side. These were introduced as exhibits. The bullet wound was in the right chest about 1 1/2 inches from the chest bone and between the second and third ribs. The bullet passed through the lungs, the large artery near the heart, shattered the seventh rib on the left side and lodged in the muscles of the back on the left side. He then produced the bullet taken from Brown's body. He said the chest was filled with blood, about five pints on the left side and about a pint and a half on the right. He found alcohol in Brown's stomach but could not tell how great a quantity. He then produced the shirt and union suit taken from Brown's body. There was a bullet hole through each and powder marks on the shirt. The cause of death was hemorrhage of the aorta. He should say the revolver was held from one to two feet from the body when fired.

On cross examination he said he had experimented only once with powder to see how far it would be carried and he knew there was a difference between different kinds of powder. He did not know about Less Smoke Powder, Du Pont Smokeless Powder, but did know about black powder. He did not know how far it would be carried by black powder but he knew by the marks that the revolver in this case was not over two feet away. The character of the weapon might make a difference but it would be very slight. He was not an expert on guns and probably not on powder marks. Mr. Simonides mentioned several names for powder and the witness said he did not know about them. He thought the smaller the bore of a weapon the farther it might carry the powder. He had experimented with common black powder and it would burn for about six inches. He had never tested powder to see how far it would carry beyond three feet. Speaking of the photographs he admitted the bruises shown were of a nature that might be caused by a man falling but did not think a man could receive all those wounds located as they were at one time and one fall. He said he could not tell what kind of liquor the alcohol found in Mr. Brown's stomach came from because it had lost its odor.

Court then took a recess until Monday afternoon at two o'clock.

WANTED JURY DISCHARGED

When court reconvened at two o'clock Monday afternoon the proceedings were held up for 50 minutes to allow the attorneys for the respondent to make a motion that the jury be discharged for misconduct in the case continued. It seems the officers in charge of the jury had not been as careful as they technically should be and had allowed the jurors to separate in squads in the court house, in the court room when other people were present and that they had not

been kept close together on the street. It was also charged that one juror had been to the telephone in the court house unaccompanied by an officer and they had seen a Boston paper that had something about the trial in it. There was no evidence that anyone had said anything to any of the jurors nor anything to influence the jurors. It was simply an appeal on a technical point, and the court refused to grant the motion.

Monday Afternoon's Witnesses.

Miss Mildred Delaney was the first witness called and told the same story as Miss McCarthy about meeting Hatch on Main street near the Museum the night of the shooting and his trying to get Miss McCarthy to take his keys. She was not cross examined.

She was followed by John Brown of St. Johnsbury who said he was coming up Eastern avenue the night of the shooting and was opposite the Y. M. C. A. when he saw a man come out of the pool room and fall on the sidewalk. He was not near enough to hear the man cry or hear the shot. He did not help carry Brown into the pool room and did not know who he was. Mr. Goodearl did carry him in. He saw Hatch in the pool room and saw him go out with Mr. Goodearl. He saw a jug of cider back of the counter in the pool room and a bottle of Jamaica ginger about half full. He did not see Brown move after he fell on the sidewalk.

On cross examination he said he saw some people attempt to pick up Brown and let go of him but did not see them let his head fall back on the sidewalk. They turned him over on his back before they carried him in. There was no fire or shot or revolver when he went in and he saw Hatch go out with Goodearl after the doctor. He described again where he saw the jug of cider and Jamaica ginger bottle. The first he saw of the bottle was in Sheriff Worthen's hands. Worthen was back of the counter looking around. He did not touch either the jug or the bottle. He described the bottle and said he saw the label on it. He had not told anybody about it except States Attorney Norton at the inquest and he had testified before the grand jury.

Sheriffs Examined.

Sheriff W. H. Worthen was called and said he was called to the scene of the shooting sometime between 8:30 and 8:45. He found a gallon jug in the room with about half a pitcher in it. He then produced the jug which was admitted as a state exhibit. The counsel for respondent conceded that the jug contained cider. He then told of his search for Hatch whom he did not know at that time. The first he heard of him was at the dry bridge on the road to the fair ground and the next was in East Barre on July 20. He was notified by G. A. Richardson, one of his deputies that he was there. He and Deputy Harriman went to the house of James Hatch in East Barre and found Harlow Hatch there. He said he could not remember finding a bottle of Jamaica ginger at the pool room but found the jug in back of the counter. He had had a talk with Hatch in December in the office at the jail about where he secured the cider and Hatch said he got it at Ed Thompson's in the spring.

On cross examination he said he found the jug but not any bottle in the pool room. Hatch was crying when he found him at his uncle's house but he was not informed that Hatch had been crying all the time before he came to the pool room. He had worked for Thompson and after denying several ways the attorney tried to have him say Hatch told him about getting the cider said Hatch told him he went into the apple room and got a jug and filled it with cider. Mr. Norton was with him and he had told him about the cider and he had not talked with Hatch about it on any other occasion.

He said on redirect examination that he had instructed his deputy Richardson to watch the house of James Hatch.

When Sheriff F. S. Harriman repeated the story of going to East Barre after Hatch, how he was called to the scene of the shooting as deputy sheriff and health officer and of the searching he did for Hatch.

On cross examination he said that Harlow Hatch was in his uncle's kitchen when Sheriff Worthen reached the place and that deputy Richardson was there with him and Hatch was crying at that time. He did not know that Hatch was there when he and Worthen left St. Johnsbury.

As Drs. B. H. Stone and C. F. Whitney of Burlington had been delayed in getting to St. Johnsbury on account of a train wreck, recess was taken until Tuesday morning at nine o'clock.

Tuesday Morning's Witnesses.

Tuesday morning Thomas C. Wallace was recalled and said that he saw a Sanford's Jamaica ginger bottle on the shelf under the counter. The bottle was about half full. On cross examination he said that he was looking around the pool room for intoxicating drink, but did not think it necessary to keep the bottle. He found no other fire arms there.

Sheriff W. H. Worthen was recalled and said that he did not make any search for fire arms, but he did look in Mr. Brown's coat and clothing. He found letters in Brown's pockets.

Dr. C. F. Whitney of Burlington was called to the stand and asked why he made the answer "No" in his former cross examination to the questions regarding black powder, less smoke powder and Dupont's smokeless powder. He stated that the question was so indefinite that he could only say "No."

Since he had testified, he had experimented with the same cartridges as those used in the revolver that has been exhibited in court and with the same revolver.

He made when the muzzle was held four feet from the target. At five feet only one or two powder marks were found. He then described the shape and size of the four bruises shown on Brown's face and head with the photographs as exhibits in the case. And after a description, the jury was allowed to examine the photograph with the aid of a magnifying glass. He also stated that his answer that he found no evidences of a struggle referred to evidences of a struggle in which he looked for scratched hands or torn clothing only. He said that

he did attend the tests made with the revolver, introduced by the state as the revolver with which Brown was shot, in the presence of the attorneys for both sides of the case and some other witnesses in the basement of the court building the night before. The tests were made with the revolver at the same angle as it was when Brown was shot.

On cross examination he said that four tests were made the night previous, one with the revolver 12 inches, another 18 inches, a third 24 and a fourth 36 inches from the target. He conceded the tests Tuesday morning in the company of Dr. Stone. There was no secrecy intended. His minutes concerned the wounds at the time of the autopsy and that Doctors Allen and Ricker were present when the autopsy was made and when the flash light picture of the corpse was taken. He acknowledged that a flash light would make a subject appear a little whiter, but that in a flash light picture, red shows up as black, and the wounds were slightly red, and would look a trifle more pronounced in a picture than it did on the subject, but the picture was correct. He said the true skin was injured in these bruises. This skin he should say is less than 1-25 of an inch beneath the superficial skin which was bruised. He said that he could not account for all of the bruises being made in one fall. He could not account for the bruise outside of the right eye as he thought the high cheek bone and the forehead would not allow it to strike on the sidewalk in a fall. He was then given a somewhat lengthy grilling regarding the notes he had taken.

On re-direct examination he said that he understood that he and Dr. Stone were using the same revolver on Tuesday morning as was used the night before. The camera does not reproduce colors, but would show the outlines correctly.

Dr. B. H. Stone of Burlington, the State Pathologist, said that he did not perform the autopsy on the body of Mr. Brown last summer. He has made hundreds of tests with fire arms and powder to determine the distance of the muzzle of the fire arm from the wound. He had made these tests for the last seven or eight years. The tests made Tuesday morning when he and Dr. Whitney were present were made at his own volition. He did not use the same revolver as the one exhibited by the state, but a revolver practically like it, and with the same kind of cartridges as those found in the revolver that it is alleged Brown was shot with. The cartridges used were Winchester 35 calibre less smoke cartridges. He found very few powder marks at a distance of four feet, but one or two when the revolver was fired five feet from the target. Powder marks practically disappear at three feet. He made the tests the night before to show how far away powder marks would be made and the radius they covered at different distances. He used the same amount of powder as was used in the revolver that Brown was shot with. The tests were made at an angle of 53 degrees from right to left and downward at an angle of 55 degrees. The cards on which the bullet was fired were shown and introduced as evidence. He volunteered to use the same cartridges that were taken out of the revolver that it is alleged Hatch used in shooting Brown, but the attorneys for the defence would not consent to it.

After the exhibit of the four targets used the night before, he introduced another set of cards that he had experimented with last Sunday morning to show the amount of powder marks at the different distances. He was then shown the union suit taken from Brown's body and said that there were no powder marks on it. He was then shown Brown's shirt and said there were powder marks on that, and he should judge from the powder marks that the revolver from which the bullet came was held from 18 to 24 inches from Brown's body.

On cross examination he said that it is impossible to tell from the powder marks what kind of powder was used. He did not know what angles were made for the holding of the revolver in the tests made the night before. He saw Brown's shirt last summer, and made an examination of it at the time. He had examined it again recently, and reported that in his judgment, the revolver was from 18 to 24 inches away from Brown's body.

Dr. Whitney was recalled and said that he examined Brown's pockets before making the autopsy, but found nothing in his pockets that showed any signs of blood stains.

THE DEFENCE.

At this point about fifteen witnesses for the state were called and took the oath. The first one called to the stand was Ernest Brown. He has lived in St. Johnsbury for about twenty-five years and said that he had been passing the pool room ten and twelve times a day, and that he heard voices and sounds inside the pool-room while passing on the sidewalk very frequently either in the summer or winter.

On cross examination he said he did not go by the place on the day that Brown was shot.

I. G. Marshall, superintendent of the city mission, said that he passed the Hatch pool room frequently. He could hear voices in ordinary conversation within with the doors and windows shut, also could hear the click of the pool balls.

On cross examination he said he had heard people at certain times, but that there might be talking the whole time. He had been by when he knew that he did not hear voices or balls.

Bernard A. Delaney, student in the Summer Street Grammar school, said that he was on the corner of Eastern avenue and Main street leaning against the wall leading from Randall & Whitcomb's store at the time of the shooting in the pool room. He heard the shot but he had been there on the corner from 20 to 25 minutes before the shooting took place. He could hear voices from the pool room at times, but could not tell whose voices they were. He could also hear the click of the pool balls, but had not heard any sounds from the pool room on the night of the shooting. He saw Mr. Brown fall, but did not notice whether his face struck on the sidewalk. He thought he struck more on his hands. He did not see anyone come out from the pool room and go

up around the corner where he was. On cross examination he said he was there with Thomas Emmons and William Burden, and that they were in conversation with each other and not giving any particular attention to sounds. He was first asked if he could hear any voices from where he was standing a day or two ago. He did not remember seeing Hatch help carry Brown back into the pool room.

Tuesday Afternoon's Testimony.

H. W. Randall was recalled and showed one of the ventilators in the window of the pool room which was admitted as an exhibit. On cross examination he said he did not know whether the ventilators were open or shut at the time of the shooting and if shut they would not give out more sound than a closed window.

Henry Danforth of Danville said he had known Hatch for a number of years. He and Earl Coveny were down to see Hatch one Saturday night in June and Hatch tried to sell the boys a revolver. He should say it was the same revolver as the one shown by the state that Brown was shot with. On cross examination he said he could not tell for certain whether it was the same revolver shown to him in the pool room or not and when shown the two revolvers shown by the state said he could not tell which one of them was the one shown to them.

Earl Coveny of Danville followed and said he had known Hatch for several years. He told the same story as Danforth, about visiting Hatch and said he had the revolver Hatch wanted to sell in his hands. He was not sure that the revolver shown by the state as the one by which Brown was killed but the two were similar.

James Hatch, Uncle, Testifies.

James Hatch of East Barre, uncle to the respondent at whose house in East Barre Harlow Hatch was taken into custody was the next witness. He saw Harlow Hatch first after the shooting on the evening of July 20 between seven and eight o'clock when he appeared at the kitchen door. Harlow burst out crying and threw himself down on the lounge and refused to eat anything when the family sat down to supper. James Hatch said he went and informed George A. Richardson, a deputy sheriff, of Harlow's appearance at Harlow's request. Richardson came down to the house in about an hour. Harlow Hatch remained on the bed in the spare room crying until Sheriff Worthen came. The last time he had seen Harlow before this was the Sunday previous to the shooting. The state said here they would not attempt to show James Hatch was harboring or aiding the respondent and his direct examination was finished.

On cross examination he said he had promised Mr. Richardson he would notify him if he got any trace of Harlow Hatch and he had notified Richardson to fulfill his promise. On re-direct examination he said he told Richardson because Harlow Hatch had asked him to do it.

George A. Richardson followed and said that James Hatch had come to his house and notified him that Harlow Hatch was at his house and that he notified Sheriff Worthen and went down to Hatch's house sometime within an hour. He had no information that haste was necessary. When he

reached James Hatch's house Harlow was in the bed room crying.

On cross examination he said he first heard of the shooting about midnight when Officer Wallace came to his place and he was instructed to keep a lookout for Harlow Hatch. He was instructed by Sheriff Worthen to tell James Hatch to let him know if Harlow Hatch came there. James Hatch requested him to notify Worthen that Harlow was at his house. He did not see anything of Harlow Hatch until notified by James Hatch, who requested him to notify Worthen. He understood that James Hatch was acting as a messenger for Harlow Hatch but he had a promise from James Hatch that he would let him know.

Another Boy Testifies.

William Burden of St. Johnsbury told of being on the rail from Randall & Whitcomb's store at the corner of Eastern avenue the night of the shooting and had been there about half an hour when he heard the shot. He saw someone drive up to the pool room in an auto and go into the pool room when coming up Eastern avenue with the other boys. He could hear the click of billiard balls or persons talking in an ordinary tone of voice in the pool room but had not heard a sound in there previous to hearing the shot. He saw Brown come out and fall and thought Hatch did help carry him back into the pool room. He thought he saw Hatch come out later. He saw no sign of a struggle in the pool room.

On cross examination he saw the auto about 7 or 7:30 and it was a Ford. The auto came up Eastern avenue. He thought three or four men got out and went into the pool room but he did not know any of them. He did not see the auto go away. He thought he could not hear ordinary conversation in the pool room where he was sitting. He was not sure he saw Hatch come out. He saw a jug, two coats, a hat and a bottle in the pool room. He saw someone pick up a revolver in the pool room. He really did not know anything about the auto.

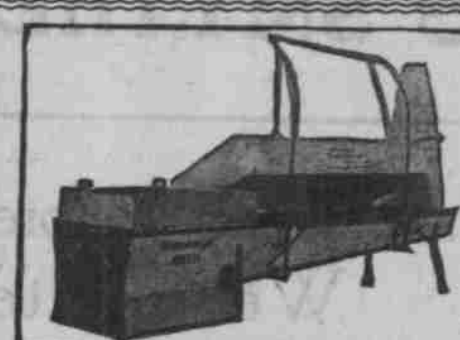
M. C. Garfield was then called for the state and simply told that he was instructed to watch Hatch's room the night of the shooting and later sent to the police office and to watch the trains.

Thomas P. Emmons said he was sitting on the rail before mentioned and had been there half an hour when he heard the shot in the pool room. He knew Charles Kirk but did not remember seeing him that evening, although he saw the automobile in front of the pool room. He too could hear the click of billiard balls and ordinary conversation in the pool room from where he was sitting but heard nothing prior to the shot. He saw Brown fall and saw Hatch help carry him back into the pool room.

On cross examination he said he did see Kirk when he came out and got into the auto and thought it was about half an hour after he sat down on the railing.

Two Older Witnesses.

Ernest Barbery said he was sitting in the court house park opposite the pool room door the night of the shooting. He saw Kirk's auto come down the avenue and all three men got out and went into the pool room together. (Continued on page five.)



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